

* * * PUBLIC NOTICE * * *

OF A PROPOSED CONSTRUCTION PERMIT
WHICH REGULATES THE EMISSION OF AIR POLLUTANTS
AND
OF A PUBLIC HEARING

PUBLIC NOTICE NO. AZP 04-01

On July 27, 2006 the Region 9 office of the United States Environmental Protection Agency (EPA) requested public comment on our proposal to issue a construction permit granting conditional approval, in accordance with 40 CFR 52.21, to Sithe Global Power for the construction and operation of a mine-mouth coal-fired power plant, to be located on the Navajo Indian reservation, approximately 25 miles southwest of Farmington, New Mexico. The project is known as the "Desert Rock Energy Facility" and is proposed to be located within the trust lands of the Navajo Nation. The power plant will be a supercritical pressure pulverized coal type and is designed for a total nominal generation capacity of 1500 MW (gross), consisting of two 750 MW units equipped with state-of-the-art emission controls. Coal will be delivered to the power plant via a fully enclosed above ground conveyor belt from the crushing facilities at the nearby BHP Billiton coal mine.

Because of the significant public interest in the proposed project, EPA will hold four Public Information Meetings. EPA staff will be present to answer questions and provide information regarding the PSD permitting process. The purpose of these meetings is not to receive or respond to formal comments.

Date:	Tues, Sept 12	Wed, Sept 13	Wed, Sept 13	Thurs, Sept 14
Time:	3:00 to 7:00 pm	9:30 am to 1:00 pm	4:00 to 8:00 pm	4:00 to 8:00 pm
Location	Navajo Nation Museum	Burnham Chapter House	Sanostee Veterans Memorial Building	Fort Lewis College
Address:	Highway 264 & Postal Loop Window Rock AZ	Burnham, NM	Sanostee Chapter Compound, Road N-34	Noble Hall, Room 130 Durango, CO

Pursuant to 40 CFR 124.12, EPA also will hold two Public Hearings to provide the public an opportunity to submit formal comments on the proposed permit. Any person may provide written or oral comments and data pertaining to the proposed permit at any of the Public Hearings. EPA will not respond to questions at the Public Hearings. EPA will respond to the formal comments received at the Public Hearings in a written document following the close of the public comment period on October 27, 2006.

Date:	October 3, 2006	October 4, 2006
Time:	Afternoon Session: 1:00 to 5:00 pm Evening Session: 6:00 to 9:00 pm	Afternoon Session: 1:00 to 5:00 pm Evening Session: 6:00 to 9:00 pm
Location:	Iron Horse Inn 5800 N. Main Ave. Durango, Colorado	Shiprock High School Auditorium Highway 64 West Shiprock, New Mexico

Copies of the proposed permit and other pertinent information are available for inspection and duplication during normal business hours at the following locations:

Navajo Nation EPA
Old NDR Building
Window Rock Blvd
Building #W088-090
Window Rock, Arizona 86515

Dine College Library
1228 Yucca Street
Shiprock, New Mexico 97420

These documents are also available on the EPA Region 9 website at:
<http://www.epa.gov/region09/air/permit/> or may be obtained by calling Robert Baker at (415) 972-3979, or by writing to:

Robert Baker (AIR-3)
EPA, Region 9
75 Hawthorne Street
San Francisco, CA 94105
Fax: (415) 947-3579
Email: desertrockairpermit@epa.gov

The Administrative Record for the proposed permit, which consists of the proposed permit, all data submitted by the applicant in support of the permit and additional documents relied upon to issue the proposed permit, is available for public inspection Monday through Friday from 9:00 A.M. until 4:00 P.M. in the Air Division of EPA (17th Floor), Region 9, 75 Hawthorne Street, San Francisco, California. Due to building security procedures, please call to arrange a visit 24 hours in advance. All public documents that are available in electronic form may be requested via email. Please contact Robert Baker for further information.

Comments on or objections to the proposed permit may be faxed, e-mailed, or delivered in writing to Robert Baker at the address shown above. Comments that are sent via fax or email or are hand-delivered must be received by October 27, 2006, and comments sent by regular mail must be postmarked by that date.

All comments will be included in the public docket without changes and may be made available to the public, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as

such and should not be submitted through e-mail. If you send e-mail directly to EPA, your e-mail address will be automatically captured and included as part of the public comment. Please note that an e-mail or postal address must be provided with your comments if you wish to receive direct notification of EPA's final decision regarding the permit and its responses to the comments submitted during the public comment period.

A final decision to set the conditions of and issue a Final Permit, or to deny the application for a permit, shall be made after all comments have been considered. Notice of the final decision shall be sent to each person who has submitted written or oral comments or requested notice of the final permit decision. The decision will become effective 30 days from the date of issuance unless the decision is appealed to the Environmental Appeals Board pursuant to 40 CFR 124.19 (any person who submits written comments on the proposed permit or who participates in the Public Hearing may petition the Environmental Appeals Board to review any part of the permit decision within 30 days after the decision has been issued. Any person who failed to file comments and failed to participate in the Public Hearing on the proposed permit may petition for review by the Environmental Appeals Board only those parts of the final permit decision which are different than the proposed permit).

If this proposed permit becomes final, and there is no appeal, construction and operation of the facility identified above may begin subject to the conditions of the permit and other applicable permit and legal requirements.

Please bring this notice to the attention of all persons who you know would be interested in this matter.